



Environmental Justice Plan

Addendum to Public Involvement Plan

I-94 North-South Corridor

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1. Introduction

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” states that “No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”¹

There are three fundamental environmental justice principles²:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The Wisconsin Department of Transportation (WisDOT) recognizes the importance of implementing Environmental Justice (EJ) efforts into project development efforts. This EJ Plan is designed to reflect WisDOT’s interest in furthering EJ efforts and outreach in the region.

2. Purpose and Goals of the EJ Plan

The I-94 North-South Corridor EJ Plan identifies a set of goals, recommended target audiences, proposed deliverables and strategies and techniques to identify, communicate, and assess potential impacts on minority and low-income populations located within the I-94 North-South Corridor study area. The analysis will include close coordination with public outreach efforts identified in the I-94 North-South Corridor Study Public Involvement (PI) Plan.³ Information, results of analyses, and feedback received from stakeholders will be documented and provided to the study team throughout the process.

Specific goals include:

- Identifying and locating minority and low-income populations and/or communities within the corridor study area.
- Conducting an EJ analysis to determine whether potential disproportionate impacts may occur as a result of proposed alternatives developed during the engineering.

¹ See the Appendix #1:Executive Order 12898

² See the Appendix #2:Environmental Justice: United States Department of Transportation

³ See the Appendix #3:Link to I-94 N-S Corridor Study PI Plan:

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- Providing results of analysis to project study team for consideration in development of the preferred alternative.
- Conducting outreach and building open lines of communications to engage minority and low-income stakeholders in discussions to identify interests, issues, concerns and obtain feedback into the corridor study effort.
- Linking EJ to the public involvement plan by providing an opportunity to not only enhance the efforts cited in the Public Involvement Plan's goals and objectives, but to provide and ensure a continual venue for minority and/or low-income populations to share their input and identify potential issues during the project development process/engineering process/EIS.

The environmental justice analysis includes an outreach component, and thus becomes closely tied with the public involvement effort. SE Region staff anticipates that the efforts outlined in this plan will enhance the public involvement process and encourage interested organizations, agencies and individuals to share ideas, expectations and concerns both for the I-94 project, as well as for future efforts. Data and input received as part of the EJ effort will be provided to the study team for consideration in the development and refinement of alternatives.

A combination of both WisDOT and consultant staff will accomplish these tasks.

3. Target Audiences

The target audiences for this effort are broad and diverse. They represent stakeholder interests not only for the development of this project, but also other WisDOT SE Regional efforts.

WisDOT will seek input from stakeholders. In order to meet the specific requirements outlined in Executive Order 12898, WisDOT will include focused communication through grassroots outreach with the following general demographic groups:

Minority - a person who is:

- Black/African-American (having origins in any of the black racial groups of Africa)
- Hispanic (of Mexican, Puerto Rican, Cuban or South American, or other Spanish culture or origin, regardless of race)
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands)
- American Indian and Alaska Native (having origins in any of the original people of North American and who maintains cultural identification through tribal affiliation or community recognition)
- White and any combination of the above (EJ; Title VI⁴; EO 12898)

⁴ See the Appendix #4: Title VI



Low-income- means a household income at or below poverty guidelines

- For example the median household income at or below poverty level is \$18,850 for a family of four (Census 2004).
(EJ; EO 12898)
 - Other indicators of low-come:
 - Child lunch vouchers (EO 13045⁵)
 - Limited-English Proficiency (LEP) EO 13166⁶

Other population groups affected by the proposed action:

- Persons with Disabilities (ADA Rehabilitation Act⁷),
- Elderly, (Age Discrimination Act⁸)

In addition, specific groups will be identified to develop working relationships in the form of small discussion groups, advisory committees and through focused outreach.

4. Proposed Methodology

The I-94 North-South corridor covers three counties and approximately 35 miles of roadway. As a result, the range and number of communities, organizations and stakeholders is large and diverse. Therefore, the analysis will include an assessment of each county and communities within a recommended distance of the corridor; followed by an analysis of individual elements such as businesses, communities, or neighborhoods, or residences directly along the corridor. Analysis will include a demographic profile of stakeholders including neighborhoods and businesses using census data, and documentation of the issues and concerns raised by the various stakeholders. Information gathered as part of the Public Information effort will be considered in the EJ analysis as appropriate. The study-area termini are Howard Avenue on the north, 35th Street (over I-894/43) on the west, Howell Avenue on the east (under the Airport Spur), and the north end of the I-94/USH 41 interchange in Lake County, Illinois, on the south. In Racine and Kenosha counties, the study is evaluating approximately 48 miles of frontage roads that run parallel to both the east and west sides of I-94.

In order to reasonably analyze the corridor, an initial distance of ¼ -mile on each side of the I-94 corridor mainline as cited in the Wisconsin Statue 86.255 will be used.⁹ The statute sets the limits of highway project property takings and mitigation compensation. In addition to the ½ mile boundary SEWRPC's Regional Land Use Inventory 2000 data and SEWRPC's Transportation System Plan; I-94 North-South Corridor boundaries will be overlaid and incorporated in the EJ analysis. Through the public involvement process, issues outside of this area may be identified. Due to the interconnectedness between EJ and PI, the EJ analysis

⁵ See the Appendix #5: Executive Order 13045

⁶ See the Appendix #6: Executive Order 13166

⁷ See the Appendix #7: ADA Rehabilitation Act

⁸ See the Appendix #8: Age Discrimination Act

⁹ See the Appendix #9: Wisconsin Statue 86.255.



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may incorporate considerations of issues raised as part of the PI effort where appropriate. An initial county-by-county analysis within this ½ mile radius will help to identify names and locations of businesses, local governments, and communities; including but not limited to churches, low income stakeholder census blocks, minority populations and other potentially impacted stakeholder interests such as farms, residents, cemeteries (such as Native American burial grounds), and parks that may be affected by corridor alternatives.

5. Analysis Approach

While this EJ analysis is limited to a specific assessment of disproportionate impacts to certain populations resulting from a proposed action, it is important that the analysis for the corridor and the project alternatives examine community-wide issues and issues that may potentially impact a community.

This approach includes both a quantitative and qualitative process of gathering stakeholder input of the potential impacts of alternatives identified during the EIS process, as well as data gathering using the various demographic and economic data resources available at the regional, state and federal levels.

Phase I– Identify and describe stakeholders within the corridor study area

- 1) Develop a base map of the defined limits of the study area;
- 2) Overlay the base map with the recommended initial distance of ½ mile radius around the corridor to identify the range of potential businesses, residences within the proposed study area and SEWRPC's Regional Land Use Inventory 2000 data and SEWRPC's Transportation System Plan.
- 3) Determine the presence and estimate the size of the minority population and/or low- income population within the corridor limits.
- 4) Identify and give a brief description of the minority and/or low-income populations within the EJ corridor limits and initial ½ mile radius.
 - a) Apply the Environmental Justice Impact Evaluation for each group per county.
 - (i) Facilities Development Manual Procedure 21-15-5, Figure 7 Environmental Justice Impact Evaluation: (<http://dotnet/fdm/21/21-15-5.pdf>).¹⁰
- 5) Where appropriate, identify and give a brief description of communities within the corridor limits.
- 6) Where appropriate, develop a community profile to include if applicable and/or appropriate
 - a) Neighborhood boundaries
 - b) Demographic information
 - c) Economic data
 - d) Other pertinent data

¹⁰ See the Appendix #10: BEES checklist. Environmental Justice Impact Evaluation. State of Wisconsin Department of Transportation Facilities Development Manual.



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Areas of interest to the EJ analysis will identify through part of the PI Plan's neighborhood outreach specialists and socioeconomic analysis efforts, include identification and consideration of the location and nature of neighborhoods and residences within the corridor study limit, utilizing the neighborhood outreach specialists obtain a brief overview of the local social history of the communities within the area, and land use plans.

Phase II – Identify and define socio-economic factors of communities along the corridor

Pursuant to WisDOT's policy and procedures analysis socio-economic factors requires an analysis that extends beyond quantifiable aspects to non-quantifiable aspects such as a community's values, and history.

Analysis of socio-economic factors will be addressed as part of the environmental impact statement and will include from this effort, but not be limited to: neighborhood and community cohesion; regional economic impacts; public and private development plans; existing business districts; affected social groups; relocation; and energy consumption. However, data collection efforts and results of that analysis will be integrated into the EJ analysis approach outlined in this plan. Conversely, it is anticipated that data collected under this plan maybe used as part of the socio-economic analysis.

Phase III – Identify and assess issues, concerns of EJ and stakeholder populations within the corridor study area

- 1) Using information gathered from public involvement efforts and information collected above, WisDOT will identify and describe issues of concern or controversy within the minority and low-income communities.
- 2) Using the range of alternatives, data collected and issues identified, describe effects to minority and low-income populations resulting from the reasonable alternative developed and presented at the public information meetings.

Phase IV – Analysis of impacts to minority and/or low income populations

Assess whether effects to the minority and/or low-income populations are beneficial or adverse.

Review Considerations:

- Are the effects proportionate or disproportionate to those experienced by the general population?
- What are the effects?
 - direct,
 - indirect
 - cumulative
- Are there any disproportionately high or adverse effects
 - Predominantly borne by minority or low-income populations



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- What are the comparative effects experienced by minority or low-income populations and are they more severe or greater in magnitude than the adverse effect suffered by non-minority and/or non-low-income populations.
- Are any of the minority or low-income populations protected under Title VI of the 1964 Civil Rights Act (which prohibits discrimination on the basis of race, color or country of origin)?
- Consider Age Discrimination Act or Americans With Disabilities Act as noted in the Environmental Justice Impact Evaluation.
- Provide data support and brief analysis for consideration in the development of the EIS. Review discussion of the potential mitigation and enhancement efforts to address disproportionately high and adverse effects to EJ populations.

Phase V – Public Information (PI) link to Environmental Justice (EJ)

Communication efforts will include the use of grassroots outreach efforts through community based organizations, local leadership, one-on-one communication, small discussion groups, and advisory committees, such as, the Technical Advisory Committee, Business and Labor advisory committees, neighborhood outreach specialist subconsultants, and Citizen Advisory Committee as included in the PI Plan.¹¹ EJ and the project's associated advisory committees are shown through the I-94 North-South Corridor EIS/PE Flow Chart. This chart demonstrates how various components (Neighborhood Subs, DBE, and Labor), EJ efforts and outreach feed into PI Plan and EIS process.

This communication strives to ensure the full and fair participation of minority and low-income groups to provide input to the project study team. The use of grassroots PI outreach efforts transcends EJ into a practical and effective outreach effort that strives to reveal the community perspectives of the impacts and provides a chance to voice their concerns and comments to the team. The SE Freeway team can then incorporate these opinions into the various alternative analyses that will culminate in the Record of Decision (ROD), all in a highly interactive two-way communication approach. This enhanced PI effort educates citizens about the transportation development process and increases the likelihood of implementation of an alternative through informed consent among the public.

6. EJ Staff Resources

The following WisDOT employees will be involved in implementing the EJ plan for the I-94 North-South Corridor project.

WisDOT SE Region staff:

Crystal DuPont
Emlynn Grisar
Donna Brown
Roberto Gutierrez, SE Freeway Team
SE Region TSS Environmental Unit

¹¹ See the Appendix #11: Environmental Justice Plan EIS/PE Flow Chart.



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WisDOT Bureau of Equity and Environmental Services Staff
Milwaukee Transportation Partners team (SE Freeway consultants)

7. Timelines, Activities and Deliverables

Findings from this preliminary assessment will inform the decision making process in considering potential effects of the identified alternatives, and inform the project study team of community issues and concerns.

It is anticipated that the data and related analysis would be supplied to the study team as it is completed. No formal report will be drafted.

8. Tentative Methods of evaluation of EJ Plan Effectiveness

- Internal check-in – at least quarterly (March, July, October, January)
- Establish milestones in the plan (conduct check-in)
- Surveys – conduct with the public at various times, diverse types of outreach meetings, door to door, one on one, specific requests, and through our website.
- Develop clear measurable goals – number of meetings, number of stakeholders added to mailing list, number of inquiries, response to inquiries.
- Comments and requests from minority and low-income advisory committee participants and neighborhood meetings.



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Appendix

1. Executive Order 12898: <http://www.epa.gov/docs/fedrgstr/eo/eo12898.pdf>.
2. Environmental Justice: United States Department of Transportation (FHWA) website: <http://www.fhwa.dot.gov/environment/ej2.htm>.
3. Link to I-94 N-S Corridor Study PI Plan:
<\\Wke31fp1\w3mtp\prelimPMwork\03.PublicInvolvement\01.RevPlan>
4. Title VI: http://www.fhwa.dot.gov/environment/title_vi.htm.
5. Executive Order 13045: <http://ceq.eh.doe.gov/nepa/regs/eos/eo13045.htm>.
6. Executive Order 13166: <http://www.dotcr.ost.dot.gov/asp/lep.asp>.
7. ADA Rehabilitation Act: <http://www.usdoj.gov/crt/ada/cguide.htm#anchor65610>.
8. Age Discrimination Act: <http://www.eeoc.gov/policy/adea.html>.
9. Wisconsin Statute 86.255: for purposes related to the purchase of land, easements, or development rights in land, unless the land or interest in land is purchased in association with a highway project and the land or interest in land is located within one-quarter mile of the highway. See FDM procedure 12-5-3: <http://dotnet/fdm/12/12%2D5%2D3.pdf>. Also see attachment #3.
10. BEES checklist, Environmental Justice Impact Evaluation under Facilities Development Manual Procedure (FDM) 21-15-5: <http://dotnet/fdm/21/21-15-5.pdf>. Also see attachment #4.
11. Environmental Justice Plan EIS/PE Flow Chart